

Agenda



Delegated Decisions - Cabinet Member for Organisational Transformation

Date: 30 August 2022

To: Councillor D Batrouni

Item		Wards Affected
1	<u>New Normal – Policy Updates</u> (Pages 3 - 40)	All Wards

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Report

Cabinet Member for Organisational Transformation

Part 1

Date: 30 August 2022

Subject New Normal – Policy Updates

Purpose Following previous reports to Cabinet around the Councils approach to New Normal, this paper seeks agreement from the Cabinet Member for Organisational Transformation on the changes to the 4 policies considered as part of the New Normal Project:

Homeworking; Travel & Subsistence; Flexible Working and Flexi Time

Author HR&OD Manager

Ward All

Summary During the COVID-19 pandemic Newport City Council adapted the way in which it operates in order to maintain services, ensure the wellbeing of its staff and deliver services for our residents. A project team was established to review the 'New Normal' operating model for the Council and to provide support for our staff. As part of this work, three policies have been revised and a new Homeworking policy developed.

This report sets out the introduction of the Homeworking Policy and the amendments to the three existing policies under our new operating model in line with our Strategic Recovery Aims, which focus on increased workforce flexibility, the wellbeing of our staff and enabling modern working practices.

Proposal For the Cabinet Member to agree to the permanent changes and implementation of policies.

Action by Head of People, Policy and Transformation

Timetable Immediate

This report was prepared after consultation with:

- Chief Executive & Directors
- Head of People, Policy & Transformation
- Head of Law and Standards
- Head of Finance
- Trade Unions

Background

In March 2020 the COVID 19 global pandemic struck affecting the working environment. Subsequently Newport City Council staff had to adopt new approaches to working overnight including for some, working from home, adapting to technology and balancing the commitments work and home life. As a result of the first lock-down in March 2020 the Council had to adapt the way it operates. Whilst front line services were protected and enhanced for the most vulnerable, office-based functions and the staff who support them have been asked to do this from home, wherever possible. The Council's infrastructure to support homeworking has been enhanced and Homeworking assessments have been undertaken to allow staff to safely work from home and continue to operate at the best of their ability.

Building on our current Corporate Plan theme of Modernised Council and as part of our recovery aims, agreed June 2020, a review of the 'New Normal' working arrangements have been undertaken to ensure we harness the positive working practice from the pandemic and achieve our commitment under our plans to sustain a Safe, healthy and productive workforce, modernise our working practices and support our workforce to become more agile.

There are some very clear organisational and staff benefits to continuing to operate in a flexible way – work/life balance, interacting with our communities, carbon reduction, reduced congestion on our roads, opportunities for utilising our facilities and buildings in different ways. In enabling our workforce to work in this new way, balance and support has been given to our staff around their wellbeing and identification of any development areas required to support the arrangements.

Policies

All policies have been drafted and consulted upon with our Trade Unions. Comments received from each of our trade unions are included.

1. Homeworking

The Homeworking policy is a new policy for the Council. The Council has a commitment to enable flexibility of working arrangements with the aim of meeting both organisational and individual needs. The Homeworking policy covers whether the employee's home or the Council's premises will be the main place of work and could include the following options:

- Home as the main place of work.
- Flexible homeworking with time split between home and the office.
- Mobile working with a base at home to travel to the Council's different premises and service users.
- The office as the main place of work with working from home occasionally.

In developing this new policy the Council recognises that there are a range of benefits associated with homeworking. These can include:-

- Increased productivity as output from employees working from home often improves due to fewer interruptions than in the office.
- Greater engagement, commitment and loyalty from employees who value being able to work from home.
- Wider choice when hiring due to being able to recruit from a larger pool of talent because of where potential employees currently live may be less of a factor in whether they apply.
- Attract a more diverse
- Potential for a wider range of talent and innovation.
- A homeworking policy helps the carbon and green agendas, by cutting down on commuting.

Ultimately alongside providing our current workforce with the opportunity to work flexibly this policy will also help us become an employer of choice, flexible in our approach, which can help attract and keep talented staff.

This policy does not apply to school based staff.

2. Travel & Subsistence

The Travel & Subsistence Policy is an existing policy. The policy aims to ensure reimbursement of staff whilst undertaking duties which take them from their normal place of work as long as the expenses incurred are reasonable and necessary to perform their duties and are allowable under Her Majesty's Revenue and Customs (HMRC) regulations.

The main changes to the Travel & Subsistence Policy are:

- Claiming mileage from permanent work location, which could be the employee home address
- Reference to consideration of audio / video conferencing meetings to reduce the need to travel
- An updated link to the HMRC approved mileage claim rates for fuel and electric cars
- Insertion of HMRC 'out of pocket' allowance claim rates

This policy is relevant to all Council staff as and when there is a need to claim travel and subsistence. Governing bodies will be commended this policy for adoption.

3. Flexible Working

The Flexible Working Policy is an existing policy. The Council recognises that employees may require flexibility around their working patterns to suit their own personal circumstances. The flexible working policy has been updated to include the option of employees requesting a change in work location, arrangements or homeworking. The policy is supported by the new Homeworking policy. As an existing policy with amendments around homeworking, the normal process for agreeing requests for flexible working will continue.

This policy is relevant to all Council staff as and when there is a need to request to work flexibly. Governing bodies will be commended this policy for adoption

4. Flexi Time

The Flexi Time scheme is an existing guidance document. It should be noted that since the start of the pandemic, this policy has been temporarily suspended to support the workforce in their work life balance commitments whilst also ensuring services continued to be delivered.

The main changes to the flexi time scheme are:

- Amendment to the flexi time carry over allowance which has been amended to 8 hours. *(In amending the flexi time carry over a commitment has been given to our trade unions to review the 8 hours limit in 6 months from its implementation).*
- Removal of bandwidths, with services defining their core operational bandwidths for flexi purposes.
- Move to using Employee Self Service (ESS) to manage the process.

This policy does not apply to school based staff.

The draft policies are attached as appendices to this report.

Consultation

Consultation has taken place with the trade unions and feedback has been received. Some proposed changes were suggested. The feedback grid is available which also outlines the response and action from the Council in response to the Trade Union feedback, this was also considered by the Employee Partnership Forum.

The Report was also received at the Employee Partnership Forum at its August 2022 meeting.

Implementation, Training & Communications

Following agreement to implement these policies a period of system amendments, training and development will be required to support the implementation. An implementation plan will be put together with a view to implementing the new policies over the summer months once system changes have been made and any support has been provided for staff.

Financial Summary

There are no direct costs associated with implementing these policies. There may be some additional equipment costs in some flexible working requests. These costs will be met in service areas.

Risks

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
Unable to meet our aspirations as a modern and attractive employer	H	H	Temporary working practices are in place to support the changes noted	Head of People, Policy and Transformation alongside all other Heads of Service

Links to Council Policies and Priorities

The report has links with our Corporate Plan, People & Culture Strategy, Strategic Recovery Aims and our Climate Change plans. The policies are intrinsically linked with other policies as detailed within each policy.

Options Available

The options available are as follows:

1. For the Cabinet Member to approve the adoption of the policies.
2. For the Cabinet Member to not approve the adoption of the policies.

Preferred Option and Why

For the Cabinet Member to approve the adoption of the policies so that the workforce and organisation can offer and make arrangements for the future new ways of working.

Comments of Chief Financial Officer

It is not anticipated that there will be an adverse budgetary impact as a result of adopting these new and updated policies. The cost of any additional equipment required will be met through existing service area budgets. With more and more councils adopting hybrid working practices and operating virtual meetings there will potentially be a positive impact in terms of expenditure on car allowances and mileage claims and this will be monitored through established budget monitoring processes.

Comments of Monitoring Officer

The proposed action is in accordance with the Council's statutory powers under section 112 of the Local Government Act to fix reasonable terms and conditions for the employment of staff. In addition to statutory employment rights and contractual terms and conditions of employment, the Council has a

number of discretionary working policies that regulate how staff carry out their work. These discretionary employment policies include arrangements for flexible working and reimbursement of the costs of travel and subsistence. The existing policies need to be reviewed and adapted to reflect the new working arrangements agreed by Cabinet as part of the “New Normal” operating model. In addition, with the move to hybrid working, then a new home working policy needs to be adopted to regulate how this new model will operate in practice. The draft policies have been the subject of consultation with the recognised trade unions and, where appropriate, their comments have been reflected in the proposed changes. The views of the Employee Partnership Forum are also requested to help inform the final decision to adopt these new policies. Subject to any comments that the EPF may have, then the decision to formally approve and adopt these new employment policies falls within the executive scheme of delegation for the Cabinet Member for Organisational Transformation, as they are strategic HR policies. Because these are discretionary HR policies, and are not a statutory right or contractual entitlement, then they can be changed without the need for any collective agreement or contractual notice period. The policies do not affect the statutory Pay & Reward Policy and, therefore, do not require in-year Council approval. However, the cross-reference to various employee benefits and policies in the Pay & Reward Policy will need to be updated in next year’s report.

Comments of Head of People, Policy and Transformation

The comments of the Head of People, Policy and Transformation are contained within the main body of the report by the HR & OD Manager.

Comments of Non-Executive Members

Councillor Kellaway:

I note in the principles of homeworking the perceived benefits of working from home such as being more productive, however we do need to give proper weight to the benefits of an office and team environment, such as the social interaction and emotional and wellbeing support working in a team can bring. It would also be prudent to regularly review the efficiency and productiveness of such an arrangement.

Response:

The support for the policy is noted. The Homeworking draft Policy notes the importance of well-being and additional considerations for new and other staff. HR will also be working closely with managers to ensure that effective management is in place, both for staff well-being /team development and also effectiveness and performance.

Councillor Drewett:

I fully support the introduction and implementation of these policies which will bring benefits to both employees and to NCC as employer.

Councillor Reeks:

I am mindful that hybrid working can be more advantageous to both the employer and the employee in terms of time/cost/sustainability, and I would support the draft but would want assurances on the following please:

- 1) That the service to the residents/business users of Newport does not in any way suffer or fall short of what is expected due to not enough staff being available in the office to accommodate their requirements?
- 2) That the employee as a “lone worker” at home is covered by the necessary safeguards required under the NCC’s Duty of Care as an employer and that their wellbeing is also monitored?

Further, in light of the escalating price costs will the home workers be able to claim expenses for working from home in respect of their energy usage.

Response:

The support for the policy is noted. The Homeworking draft Policy notes the importance of well-being and additional considerations for all staff. HR will also be working closely with managers to ensure that

effective management is in place, both for staff well-being /team development and also effective service delivery and performance. It is the intention of the homeworking policy to enhance service delivery to residents; and requests to work from home for a proportion of the working week will be considered on a business need basis ensuring service delivery is not negatively impacted.

The cost of living concerns are also noted and offices will remain open for employees who need to attend a place of work, the homeworking application is optional for those members of staff who would prefer their base to be their home.

Scrutiny Committees

The report was discussed at the Employee Partnership Forum in August.

Equalities Impact Assessment

An FEIA on the combined impact has been conducted and is available for review.

Wellbeing of Future Generations (Wales) Act 2015

The wider Policy updates contribute to the well-being goals for a more equal Wales and a prosperous Wales. The policies support our employees with their work life balance commitments and aim to make us more flexible as an employer of choice. The five ways of working have been applied when considering this proposal and policies developed with longer term and short term workforce commitments in mind. The policies also form a key part of the Council's People and Culture Strategy and Covid Recovery objectives.

Consultation

As outlined within the report.

Background Papers

Policies – Homeworking, Travel & Subsistence, Flexible Working, Flexi Time
Cabinet Report – New Normal

Dated: 30 August 2022

Introduction

The Flexi-time guidance includes the procedure and guidance in relation to the following:

- What is flexi time
- The scope of the scheme
- Guiding principals
- Application of the scheme

Aims of the Guidance

To provide clear guidelines for managers, and employees to follow to utilise flexi-time appropriately, supporting a culture of service delivery which focuses on the achievement of agreed targets and objectives.

Scope

The scheme is applicable to all employees whose working hours/practices allow for flexible working hours to be implemented, it is however recognised that there are employees whose working hours/practices dictate that the policy cannot apply or may need to be modified.

Employees working part-time or reduced hours have access to the scheme, usually on a pro-rata basis.

To be read in conjunction with:

- Flexible Working Policy
- Flexi and Annual Leave Tracker Guidance
- Working Time Regulations Guidance
- Disciplinary Policy

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POLICY

Newport City Councils corporate vision is 'to be recognised as a high performing council – ensuring the right services are provided to our communities, our councillors and our staff', to achieve this, new ways of working have to be found to make the best use of staff and resources. Newport City Council recognises that flexible working brings benefits to both employer and employee. Flexible working arrangements can assist in addressing pressures by maximising the availability of staff and improving customer service.

The Flexi-time scheme allows for a flexible system of attendance to help employees manage their daily hours of work to suit their workload and home life. The objective of the scheme is to:

- enable the Council to better meet the needs of our communities,
- allow for greater flexibility in the management of working time,
- achieve a better balance between work and home life,
- support the health and wellbeing of employees

which by extension, reduce absenteeism, increase productivity and enhance employee engagement and loyalty.

Definition of terms

In describing the flexi-time scheme a number of terms are used which may be unfamiliar to employees. To avoid confusion over their meaning the most common terms are explained as follows:

- **Core Hours** - The hours of the working day that employees must be present and available to work. This scheme does not prescribe set core hours as there is an expectation that Core Hours will vary based on the business needs of each service area. Under this scheme, Core Hours will be agreed by individual Service Managers for their respective teams.
- **Bandwidth** - The bandwidth sets out the potential time that an employee can work ranging from the earliest time anyone can start through the latest possible finishing time. Under this scheme there is no set band width, however, employees are to be mindful of working within their teams' Core Hours and balancing their own health and wellbeing.
- **Public opening times** - The times during which most offices will be operational, team cover must be maintained during this period. Under this scheme Normal Office Hours are between 8.30 am and 5.00 pm.
- **Accounting period** - The period at the end of which it is necessary to assess how many hours were worked compared with the actual hours. Flexi-time can be accrued and taken in the same accounting period.
- **Standard hours** – This is the total number of hours each employee is contracted to work each week. Standard office hours for most of the authority are 8.30 am to 5.00 pm.
- **Credit hours** - Credit hours are those which arise from the employee having worked more hours at the end of the accounting period than is standard. Credit hours of more than 8 (pro rata) at the end of the accounting period will be lost.
- **Debit hours** - Debit hours are those which arise from the employee having worked less hours at the end of the accounting period than standard hours. The maximum debit hours that you can have at the end of an accounting period is 8 (pro rata).
- **Carry over balance** - The scheme allows employees to work more or less than the contracted hours in an accounting period. Where this occurs, provision is made for the difference to be adjusted in the following period. Under this scheme the number of credit hours that can be carried over to the next settlement period is 8 hours and the number of debit hours is 8. This will be on a pro rata basis for part time employees.

- **Recording systems** – For the majority of employees, hours worked are recorded in the flexi tracker via their Employee Self Service (ESS) Account, the tracker shows credit and debit hours and is used to record working hours, it also enables managers to monitor how many hours over/under the standard working week an employee has worked. Employees are responsible for updating and maintaining their ESS Account to reflect their hours worked each day.
- **Business absence** – This is applicable to employees whose work takes them away from the office on Council business, employees should make their manager aware of their location and commitments including perceived times of departure and arrival. Employees are responsible for ensuring this time is recorded accurately.

Application of the scheme

The success of the Flexi-time scheme depends on trust, common sense and the goodwill of both employees and managers. Employees are expected to plan their times of work around business needs as well as their personal workload and the patterns of work of colleagues to ensure office cover and the delivery of services. Managers should agree minimum staffing levels, and the process for agreeing time off and 'normal' working hours for employees so that cover is always maintained.

Constraints of the Flexi-time scheme

Although flexi-time will bring benefits to the employee, time off may be refused by managers if minimum staffing levels are not met. Employees should, where possible give reasonable notice of intent to take flexi-time. Flexi-time is intended to support the needs of the organisation and assist with work/life balance for employees, it is not intended to be used as a mechanism for accruing additional leave. The flexibility of the scheme allows employees to manage peaks and troughs of workload and it is not expected that employees will regularly work the full bandwidth. Employees are expected to be mindful of their own wellbeing and not regularly work excessive hours. In addition, managers will regularly monitor their team's flexi and annual leave tracker in order to ensure that excessive amounts of debit and credits are not accrued and that optimum productivity is achieved. Flexi-time should only be accrued where employees are required to work longer hours as a result of heavy workload.

Flexi-time is not a mechanism to amend working patterns. Adjustments to hours of work may be granted by management on an ad hoc basis, however requests to alter working patterns either permanently or on a fixed term basis should be done via the Flexible Working Policy.

Breaks

Upholding the principles of the Working Time Directive (1998), employees should take a break when working more than six hours. A minimum break of 30 minutes should be taken approximately mid-way through the working day and not at the beginning or end of the working day, subject to business needs.

Each employee must record their arrival and departure times and all breaks from work in their flexi-tracker in their ESS Account.

Religious Observances

Managers should, where operationally possible, assist employees to meet their religious observances. This consideration should be taken in line with annual leave and/or flexi-leave for specific days but should also be considered for any daily religious observances. Any break from work must be recorded in the flexi tracker located in each employee's ESS Account.

Standard Working Week

The standard working week for full time employees is 37 hours, for part-time employees it is their weekly part-time hours. Employees can work in excess of these hours where there is a business need, however due regard must be taken of the Working Time Regulations which sets a maximum working week of 48 hours averaged over a 17-week period. Employees can work in excess of 48 hours where there is the business need, however they must 'opt out' of the Working Time Regulations by signing a waiver. Employees must ensure that an 11-hour break from work is taken each day, in accordance with the Working Time Regulations.

Employees can work less than their standard working week where business needs allow, however employees are required to manage their time appropriately to avoid large fluctuations in credit and debit hours.

Using your Flexi-Time Balance

Flexi-time is primarily designed to allow employees to balance work and home life commitments and address business needs. Where an employee has accrued credit time, they may wish to take it back as flexi-leave. Flexi-time must be approved by line managers and where possible be pre-booked, however there may be occasions where emergency leave may need to be taken.

The maximum amount of flexi-time that can be taken in any four week period is 8 hours, which can be taken as half days or a full day providing it does not exceed 8 hours.

Flexi-time can only be taken where an employee will not exceed 8 hours' debit and will usually be agreed in-line with business needs.

Flexi-time must be booked and recorded through the employee's ESS account,

Phased Return

Employees on an agreed phased return to work following a period of long term absence should only claim their standard working hours during their phased return (as actual hours worked and the top-up to contracted hours). In the event that an employee works more than the agreed hours during the phased return period, they will not be able to claim these 'additional' hours as flexi time as they are already being paid full working hours.

Travelling Time

Where an employee spends part of a day on site and either travels directly from home to site or directly from site to home, the time recorded should take in to account the employee's normal commute (the time which the employee would have spent travelling between their home and the office); employees should always deduct their normal home to work travelling time.

Employees attending external training/seminars/conferences or meetings away from their base will be given a credit for the hours attended including *additional* travelling time; employees should always deduct their normal home to work travelling time.

Managers Responsibilities

Managers are responsible for ensuring that there is adequate cover at all times in locations where the Flexible Working Hours Scheme operates, setting out expectations of cover and the process for requesting flexi-time. Managers are also responsible for the correct implementation of the scheme and should carry out random audits on the employees' time recording system. In order to comply with the Working Time Regulations 1998, Managers

should also monitor working hours in line with this piece of legislation. Managers should always consider these Regulations when asking employees to work longer hours and agreeing flexi-leave.

Misuse of the scheme

Employees using the flexi time scheme must ensure that any time recordings are accurately entered. Suspected misuse of the scheme will be investigated in accords with the Disciplinary Policy.

Opting-out of Flexi Time

It is recognised that not all employees will want to work under the provisions set out in the Flexi Time Policy and would prefer to manage their daily hours of work to suit their workload and home life without needing to record their working hours or accrue time. If an employee opts-out of the Flexi Time Scheme then they would be unable to utilise the provisions of the scheme such as taking flexi-leave, unless they had formally opted back into the scheme. In these circumstances each employee is able to opt-out of the scheme via their ESS account. This is located until the Employment tab and can be found via the Questionnaire section, *Flexi-Time Opt-Out*.

Created By:	Human Resources
Date Created:	Sept 2016
Reviewed By:	Kevin Howells
Date Reviewed:	16/08/2022
Current Version:	3.1
Consulted on with recognised Trade	June 2022
Adopted by/date	Cabinet Member for Organisational Transformation – August 2022

Document Control

Version	Date	Author	Notes/Changes
V1.1	01/09/2016	Human Resources	New policy
v.1.2	01/01/2017	Human Resources	Click to enter text
V1.3	01/10/2017	Human Resources	Policy update
v.2	25/03/2020	Human Resources	Version control added

V 3	03/02/2022	Luke Butcher	Policy update following new normal
V3.1	16/08/2022	Kevin Howells	New Policy Agreed by Cabinet Member following trade union and stakeholder comments.
e.g. V1	Click to enter date.	Click to enter text	Click to enter text
e.g. V1	Click to enter date.	Click to enter text	Click to enter text
e.g. V1	Click to enter date.	Click to enter text	Click to enter text
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Introduction

The Flexible Working Policy includes procedures and guidance in relation to the following:

1. Changes in Working Hours / patterns
2. Job Share
3. Compressed working hours
4. Change in work location / homeworking

Aims of Policy

To provide clear guidelines for managers and employees to follow when considering requests under the policy.

Scope

This policy applies to all employees with the exception of those employees working in maintained schools under the direct control of a school Governing Body.

School Based Employees

Newport City Council commend this policy to individual Governing Bodies for adoption. If adopted by a Governing Body, the policy will apply to all employees under the direct control of that Governing Body.

To be read in conjunction with

[Family Friendly Policy](#)

[Flexi-time Guidance](#)

[Homeworking Policy](#)

Principles

The Council recognises that employees may require flexibility around their working patterns to suit their own personal circumstances. Whilst requests for flexibility will not be automatically agreed, consideration will be given to all requests on a case-by-case basis.

POLICY

Flexible Working

Flexible working enables an employee to request a variation to their working pattern, contractual hours or work location on a permanent or temporary basis. However, it does not provide the automatic right to work flexibly.

Agreeing to one employee's request will not therefore set a precedent or create a right for another employee to be granted a similar change to their working pattern. All requests are considered on an individual basis, taking into account the needs of the business and the impact that agreeing the request will have on service delivery.

The Council / School is committed to the provision of flexible working and has considered it appropriate to extend its statutory provision to include the whole of its workforce. The forms of flexible working covered by this policy are:

- Changes to Working Hours / Patterns
- Job-sharing
- Compressed Working Hours
- Flexitime Scheme
- Change in work location / homeworking

Employees can make applications as frequently as their personal circumstances require a change to be requested

Process

Employees who wish to request a variation to their contracted hours, work pattern or location are required to complete the application form [Work Life Balance Application](#) via their ESS account. Email workflow will confirm receipt of the application and the request will be sent to the line manager for consideration. The receiving line manager has the authority to agree to a request on the basis of the application itself without the need for a meeting, should it be felt appropriate to do so.

In the case of Head teachers, their application should be submitted to the Chair of Governors and determined by the relevant Staffing Committee.

Line managers will offer the employee a meeting to discuss the application within 28 calendar days of receipt. The employee has the right to be accompanied at this meeting by a Trade Union representative or work colleague and is entitled to have the meeting postponed for up to 7 calendar days to facilitate being accompanied.

The line manager will consider the business case for supporting/refusing the application, taking account of the factors indicated below:

1. Additional costs
2. The effect on the ability to meet service user demand
3. The ability to re-organise work among existing employees
4. Planning and scheduling of work
5. The ability to recruit additional employees
6. Impact on quality
7. Impact on performance
8. The sufficiency of work during the periods the employee proposes to work
9. Any planned structural changes

A different working arrangement or trial period may be considered as a temporary measure to determine whether the request is feasible (recommended no more than one year / one academic year), however in all circumstances the line manager must communicate in writing the decision reached within 14 calendar days of meeting with the

employee confirming the employee's right of appeal against the decision ([Letter accepting application](#), [Letter rejecting application](#))

Whatever the outcome, all relevant documentation must be sent in accordance with agreed time scales, unless the [line manager and employee agree an extension to the time scales](#).

Appeals Procedure

Should an application be refused, and the employee wishes to appeal against this decision, this should be made in writing to their Head of Service within 14 calendar days of receiving the decision, outlining the reasons for the appeal.

School Based Employees

In a school, an employee who wishes to appeal against the decision of the Headteacher has the right of appeal to the Governing Body's Staffing Appeals Committee. The appeal must be made in writing within 14 calendar days of receiving the decision outlining the reasons for the appeal.

A Head teacher who wishes to appeal against the decision of the Staffing Committee should submit their appeal to the Staffing Appeals Committee.

An appeal meeting must be arranged with the Head of Service / Staffing Appeals Committee within 14 calendar days of receiving the employee's appeal.

The Head of Service / Staffing Appeals Committee must inform the employee of their decision within 14 calendar days after the date of the appeal meeting. If the request is accepted a letter should be sent to the employee informing them of the decision and the date on which it is to take effect.

If the request is refused the Head of Service / Staffing Appeals Committee must set out the grounds for the refusal, explaining the reasons for their decision. The Head of Service's / Staffing Appeals Committee' decision shall be final.

All time periods for the hearing of the appeal can be extended where both the Head of Service / Staffing Appeals Committee and employee agree. Any extensions must be recorded in writing and copied to the employee, specifying the period the extension relates to and the date on which it will end.

The employee is entitled to have a work colleague or Trade Union representative to accompany them at the appeal.

N.B. Where the Head of Service determined to deal with the application personally, any appeal would be heard by the relevant Strategic Director.

TYPES OF FLEXIBLE WORKING AN EMPLOYEE CAN APPLY FOR

Changes to Working Hours / Patterns ([Work Life Balance Application Form](#))

Flexible working enables an employee to request a variation to their working pattern or contractual hours on a permanent basis. However, a temporary period of up to 12 months / one academic year may be considered as an

interim measure to determine whether the request is feasible. At the end of a temporary variation, the employee will either revert to their substantive hours or request a permanent change to their contractual hours, work pattern or location; there should not be a temporary extension to the arrangement.

It would be appropriate for the employee and their Line manager/Head teacher to review the working pattern in advance of the arrangement coming to an end in order for the employee to have sufficient knowledge of the change in working pattern and to make any alternative arrangements such as caring responsibilities.

School Based Employees

In determining a Flexible working application in schools, specific consideration should be given to the following:

- necessity for the employee to attend INSET days
- attendance at weekly staff meetings
- attendance at parents evenings

The above provides examples of considerations and is not an exhaustive list.

If it is determined that the employee should attend all INSET days, weekly staff meetings and / or parents evenings, not just those on their normal working days, there will be an additional cost to the school.

Job Share

Job share enables an employee to reduce their working week by more than one day. Applications for job share arrangements should be approved subject to a job share partner being recruited, and the employee will continue to work their contracted hours until a partner is found.

Should a Job Share partner leave, the remaining partner will be offered the post on a full time basis. If they wish to continue job sharing another partner will be sought through the current recruitment and selection procedure. Should another partner not be found, then the remaining partner will once again be offered the post on a full time basis. Should they refuse this offer, and in circumstances where the post cannot be accommodated as a part time post as an alternative to job share, suitable alternative employment will be sought and where this is not possible notice of termination of employment will be issued.

Detailed arrangements in relation to hours/days of work will be agreed between the job sharers and the manager. The hours to be worked will be individually stated for each partner, along with start and finishing times which if applicable will include flexible working hours as per the Council's / School's scheme. Hours of work may be varied at the discretion of the manager in order to meet services requirements. This will be done in consultation with both job sharers.

School Based Employees

In determining a job-share application in schools, specific consideration should be given to the following:

- *necessity for both job-share partners to attend INSET days*
- *necessity for both job-share partners to attend weekly staff meetings*
- *necessity for both job-share partners to attend parents evenings*
- arrangements for handover

The above provides examples of considerations and is not an exhaustive list.

If it is determined that both job-share partners should attend all INSET days, weekly staff meetings and / or parents evenings, not just those on their normal working days, there will be an additional cost to the school.

Compressed Working Hours

Compressed hours is a flexible working arrangement whereby employees work their contracted hours (37 hours or less) over a shorter period i.e. 9 days rather than 10 days per fortnight (74 hours over 9 days). This is also referred to as a compressed working fortnight and would usually replace flexi time. Compressed hours may not be suitable for employees who either work a set shift pattern or who operate in front-line service provision with set operating times.

The day off in a compressed week (i.e. the 10th day) will need to be agreed with the manager. The service must be covered during the office hours of the team, for example Monday to Thursday 8:30 am to 5:00 pm and Friday 8:30 am to 4:30 pm.

Employees must agree with their manager their start and finish times which can only be changed with the prior approval of their manager. Breaks will not count as work time.

Annual leave is not reduced but the employee's working pattern on iTrent must be amended to reflect their compressed week in order for annual leave to correctly be calculated. Entitlements to public, bank holidays and other statutory public holidays are unaffected.

School Based Employees

It is unlikely that a compressed working hours arrangement could be approved in the majority of school based posts, as employees in schools are normally required to be available during the hours that schools are open to pupils.

Change of work location / homeworking

This enables an employee to make an application to vary their work location or to work from home for up to 5 days per week (or pro rata for those working full time). This would mean a permanent change in the work location as specified in the contract of employment

It is unlikely that a homeworking arrangement could be approved in the majority of school-based posts, as employees in schools are normally required to be available to support teaching and learning on a face to face basis. However, it is possible that some homeworking could be accommodated with flexibility on the part of the school

Notification of Approval

Approved applications for flexible working will be notified verbally by Line Managers/Head teachers and through email notification in ESS

Flexi-Time

Flexi-time is applicable to all employees whose working hours/practices allow for flexible working hours to be implemented. For detailed guidance please see the [Flexitime Guidance](#).

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Date Created:	3 March 2020
Reviewed By:	Kevin Howells
Date Reviewed:	16/08/2022
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Consulted on with recognised Trade	June 2022
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Document Control

Version	Date	Author	Notes/Changes
V1	16/12/2011	Human Resources	New Policy - bringing together number of existing policies and amending processes. New Template
V1.1	04/01/2012	Human Resources	Grammatical / Spelling issue
V1.2	23/01/2013	Human Resources	Service Area to People & Transformation, schools reference included and Template change
V1.3	20/01/2017	Human Resources	removal of flexitime (now separate guidance)
V1.4	03/10/2017	Human Resources	Version Control Added
V1.5	03/03/2020	Human Resources	Version Control Added
V1.6	16/09/2020	Human Resources	Re-establishment of links
V1.7	11/01/2021	Human Resources	Re-establishment of links
V2.0	03/02/2022	Amanda Bouadana	Change of name to Flexible Working Policy and addition of homeworking as a flexible working option to apply for
V2.1	16/08/2022	Kevin Howells	New Policy Agreed by Cabinet Member following trade union and stakeholder comments.

Introduction

The Council has a commitment to enable flexibility of working arrangements with the aim of meeting both its and its employees' needs. While homeworking is categorised as a type of flexible working, employees should not assume that other aspects of flexible working (such as amended hours) are automatically part of a homeworking arrangement.

Aims of Policy

This policy covers whether home or the Council's premises will be the main place of work and could include the following options:

- Home as the main place of work.
- Flexible homeworking with time split between home and the office.
- Mobile working with a base at home to travel to the Council's different premises and service users.
- The office as the main place of work with working from home occasionally.

Scope

This policy applies to all corporate staff employed in a role where homeworking may be designated as appropriate for a proportion of an employee's contractual working hours.

School Based Employees

Click to enter text

To be read in conjunction with

Flexible Working Policy
Travel and Subsistence Policy
PAT Testing of DSE for Home Working
Process for home working checklist

Principles

The Council recognises that there are a range of benefits associated with homeworking. These can include increased productivity as output from employees working from home often improves due to fewer interruptions than in the office. There can also be greater commitment and loyalty from employees who value being able to work from home. Wider choice when hiring due to being able to recruit from a larger pool of talent because where potential employees currently live may be less of a factor in whether they apply. More ideas through attracting a more diverse workforce – including, for example, staff with disabilities or caring responsibilities – can bring the

potential for a wider range of talent and innovation. Being known as a flexible employer can help attract and keep talented staff. A homeworking policy helps the environment by cutting down on commuting. In addition, homeworkers can be less affected by bad weather or travel disruption.

POLICY

Homeworking is available as a flexible working option in the Council's Flexible Working policy and employees are able to make a flexible working request if they wish to balance their working week between home and a Council workplace. This homeworking policy sets out the implications for homeworking and the considerations that employees and managers will have to be mindful of when considering an application. It should be noted that homeworking is not a substitute for suitable care arrangements and that any dependents will need to be looked after by someone other than the employee when they are working.

To apply for homeworking as a flexible working option, please use your Employee Self Serve account in iTrent and select 'Make a flexible working request.' Your application will be processed electronically and you will receive workflow notifications showing you the progress of your application.

Which posts are suitable for homeworking?

The Council will determine which posts may be suitable for homeworking and which posts are not. It is likely that those roles providing front line support to residents and service users will not be classed as suitable for homeworking, but each application will be determined on its own merits.

In addition to whether a post is suitable, consideration will be needed regarding whether the postholder is suited to homeworking. Employees and managers should be fully aware that this working arrangement does not suit everyone. Those working from home need attributes to cope with working alone and with less supervision. Some homeworkers will miss contact with other people and feel isolated. Others may find that domestic demands cause distractions. Homeworkers ideally need to be happy to spend long periods on their own, be self disciplined and self motivated, have resilience, be confident working without supervision and be able to separate work from home life.

Additional consideration should be given to new starters who may need a period of time in the office to absorb the organisational culture before working from home, apprentices who may never have experienced the world of work before, those who need wellbeing support for physical or mental health conditions, and those where home is not always a safe environment.

The Council retains a duty of care towards homeworkers and a Health and Safety checklist must be carried out as part of the homeworking application. Assurance is required that the working environment at home is safe and the risk assessment will identify whether there are concerns that need addressing before homeworking can be approved. Where concerns are identified and mitigating measures cannot be made, homeworking may not be approved.

The Council will retain the right to consult and vary a homeworking agreement where performance, supervision or conduct impacts on successful service delivery.

Equipment required to work from home

Every employee using Display Screen Equipment is required to undertake the Display Screen Equipment (DSE) e-learning and complete a DSE self-assessment. Those using DSE for home working are required to also complete the

Working From Home with DSE Checklist in conjunction with their manager to ensure that appropriate equipment is available and provided.

The Council will provide the equipment necessary to enable employees to undertake homeworking. These items will remain the property of Newport City Council and will be maintained/replaced by the Council. Laptops and other portable electronic devices must not be used for personal matters by the employee or their family.

Home work stations must be set up in line with the requirements of the Display Screen Equipment Regulations. Employees must ensure that equipment remains in a good condition, see Portable Appliance Testing (PAT) for Home Working, and any matters of concern must be reported immediately to the line manager. Any equipment considered to be unsafe must not be used until an alternative or replacement is possible.

Printers, scanners, shredders and general stationery will not be provided. Should any printing be deemed essential, this should be arranged through the flexi print system, as should postage for essential letters where email cannot be provided as an alternative.

If a homeworker subsequently changes job role within the Council and will no longer be homeworking, or leaves employment of the Council, equipment will need to be returned. Laptops must be returned to the Civic Centre and furniture will be collected.

Specialist equipment

Applications to work from home, whether this is on a regular or occasional basis, should consider any specialist equipment needs. Some specialist equipment may be easily transported for use within different settings, e.g. keyboard, mouse, wrist support etc, where practicable. Other equipment, e.g. desk, specialist chair, screens, may be required and should be considered within the application for home working. The following should also be considered:

- Individuals who have been assessed with specific needs affecting their ability to desk share, and who need an assigned work station which is set up for their needs
- Whether specialist equipment needs to be replicated within the office and home settings or whether there are tasks that can be carried out in either setting without specialist equipment, to enable a blend of work settings where required.

Managers must ensure that each application is considered fully, and that the need for specialist equipment does not automatically rule out a flexible working application.

GDPR

Employees are reminded of the GDPR legislation regarding sensitive information and should not have paper documents insecurely stored at home. All Council information should be retained on electronic devices.

Running costs and expenses

The employee will be expected to provide broadband, heating and lighting, and check whether their home insurance needs to reflect their homeworking status.

Should an employee request to work from home as part of a flexible working application, no allowance towards running costs is payable by the Council. Employees will not be able to claim tax relief on additional expenditure as a result of any voluntary arrangement to work from home.

Mortgage, lease and insurance issues

Employees should tell their mortgage provider or landlord and home insurer of their intention to work from home. They should check that there isn't anything preventing them from working at home – for example, in their mortgage agreement, lease or insurance. The employee should obtain from their home insurer confirmation of cover should work equipment cause damage to their home. Work property will be covered by the Council's insurance policy. Under no circumstances should service users, clients or residents visit an employee's home on the purpose of Council business, and any required visits or meetings with service users or residents must be conducted at a Council office or other location, never the employee's home.

PAT testing of equipment

PAT testing for homeworking guidance is attached as an appendix to this policy and employees are reminded of their obligation to adhere to this guidance.

Moving house

It is essential that employees ensure their home address is correct in iTrent for the purposes of the asset register.

Employee performance

Research has indicated that working from home may reduce promotion prospects and that the more time an employee works from home the greater the effect known as 'professional isolation' can be. Indications of 'professional isolation' can include some staff who work from home being:

- Less likely to look for promotion if this could mean spending more time at a workplace
- 'Out of sight' and 'out of mind' when managers are allocating key projects
- Less likely to be mentored as opportunities are fewer
- Less aware than office colleagues of what is happening in the rest of the organisation

To counter these effects, the monthly check-in process on iTrent will enable managers and employees working from home to have regular dialogue and opportunity to keep in touch about key developments and opportunities. The same opportunities for training and development will be provided to those working from home as those working in the office.

There may be occasions where an in-person meeting is required to discuss performance. Should under performance be identified and additional support be made available to an employee, additional time spent in a Council workplace and less time at home may be required.

Professional standards

When working from home there is still the expectation that employees are representatives of the Council in any online meetings that they join. Loungewear is not considered appropriate attire for meetings and employees should always consider the audience that will be present in online meetings. The same expectation around Teams

backgrounds applies – a corporate Newport City Council background should be the default choice for all external meetings. Online meetings should not be held in communal areas of the home when family members are present.

Working hours

Employees working from home are required to complete their contracted hours in line with the business need of their individual team or service. Flexibility in working hours is available to home workers and natural breaks away from a screen are recommended. It is essential that a half hour break is taken each day as a minimum, and employees are able to balance their hours around their personal appointments e.g. health related visits (hospital, GP, dentist, optician, etc.), school drop off and collections, caring responsibilities for vulnerable relatives, etc. Care should be taken not to work excessive hours at evenings or weekends.

There should be an understanding between managers and employees over when the employee will work and be contactable, whilst managers remain mindful of the need to be flexible to support work life balance activity that occurs during the day. The homeworker will need to communicate clearly, letting their colleagues know when they will be available and when they won't. The employee should make good use of their Teams status, Outlook calendar and out-of-office email replies/voicemail messages.

The employee's attendance at the main office/base

Attendance at a Council office may be required on an ad hoc basis to engage in training and meetings deemed essential to attend by line managers. This could include, but is not restricted to, service area meetings, workforce roadshows, consultation meetings, performance check ins and training events.

Should IT issues be identified it may be required for employees to bring their laptop to the Civic Centre for investigation and resolution.

Access to recognised trade union advice and support

Employees who are homeworking should be supported to communicate with their recognised trade union representative and the Council will enable this to be facilitated through the use of Teams. Trade union representatives will be provided with access to equipment and facilities to carry out their duties remotely where required, but also to maintain a private space in the Civic Centre to meet with members.

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Document Control

Version	Date	Author	Notes/Changes
V1.0	01/01/2022	Rachael Davies	New Policy drafted and proposed to trade unions
V1.1	16/08/2022	Kevin Howells	New Policy Agreed by Cabinet Member following trade union and stakeholder comments.
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Travel and Subsistence

Introduction

The Council wishes to ensure employees are reimbursed approved expenses incurred in the course of their work including travel, meals or overnight accommodation.

Aims of the Policy

The policy aims to ensure that no employee will be financially disadvantaged whilst undertaking duties which take them from their normal place of work as long as the expenses incurred are reasonable and necessary to perform their duties and are allowable under Her Majesty's Revenue and Customs (HMRC) regulations.

Scope

This policy applies to all employees, including those in schools, who incur additional expenses whilst undertaking their duties, often taking them from their normal place of work.

School Based Employees

See scope above.

To be read in conjunction with:

[Travel and mileage rates](#)

[Travel and Subsistence Homepage](#)

[Guide - Making your on line claims](#)

[Standard Mileage Checker](#)

Principles

The following outline the key principles of the Council's *Travel and Subsistence Policy*; however all employees are required to familiarise themselves with the full policy.

- No employee will be financially disadvantaged whilst undertaking duties that take them from their normal place of work, in so far as such expenses they incur are reasonable and necessary to perform those duties, and are allowable under Her Majesty's Revenue and Customs (HMRC) regulations.
- The safety and security of Council employees is vital when travelling on Council business.
- Value for money must be ensured at all times when incurring expenses on Council business.
- Audio/video conferencing is the preferred option for holding work meetings, however, should official travel be required, it must always be conducted in an economic manner; alternative means such as public transport, cycling, pool and hire cars must be considered before the use of privately owned vehicles.
- Where it is appropriate for an employee to use their private vehicle, business mileage must be conducted in accordance with the Road Traffic Act 1988 in conjunction with the Highway Code and any current legislation. Specific attention is drawn to the [use of mobile phones when driving](#).

Travel and Subsistence

- Business mileage is reimbursed in line with HMRC approved rates. These are set and reviewed periodically by HMRC, so are subject to change.
- Subsistence allowances are set and reviewed periodically by the Council, reimbursement is made up to the maximum amount published. Payment will only take place upon production of appropriate receipts.
- Any employee using their privately owned vehicle must hold a full valid driving licence which is appropriate for the vehicle used, and must not be banned or disqualified from driving. The vehicle must be insured for business use, roadworthy, and if over 3 years old, have a valid MOT certificate. These documents must be inspected prior to use of the private vehicle by line management, and regularly thereafter.
- All travel and subsistence reimbursement claims must be supported by original receipts, and in the case of mileage claims, these must be supported by original VAT fuel receipts (predating the date of the journey, but no more than one month old).
- Any business mileage claimed must be based on the shortest route, and where standard mileages have been established, these must be used.
- Employees may be required to work at any place of employment in the service of the Council. An employee's place of work (work base) is detailed in their Statement of Written Particulars.
- The Council reserves the right to refuse to meet the whole or part of claims in respect of unreasonable expenses or expenses which could have been avoided had the journey been better planned e.g. choosing an alternative route which is demonstrably longer than the shortest possible route.
- All Rail and Hotel bookings must be made via the Council's Capita Travel and Events online [travel booking portal](#)
- All travel must be approved by your line manager/head teacher prior to making an on-line booking
- All employees and authorising officers have a responsibility to adhere to this policy and any abuse or failure to do so will constitute a breach of the policy and will be dealt with in accordance with the Council's Disciplinary Policy. Any attempt to fraudulently claim travel or subsistence allowances will be regarded as potential gross misconduct

Policy

Claiming Travel and Subsistence Expenses

- **Employee's Responsibilities**
 - It is the responsibility of the employee to be fully conversant with this policy for the payment of travel and subsistence allowances. When claiming expenses, employees should claim using [Employee Self Service](#), following the [guidance](#) for making claims.
 - Ensuring that economy, efficiency, and effectiveness are achieved in respect of all expenses without compromising personal safety.
- **Authorising Officer's Responsibilities**

It is the responsibility of the authorising officer to be fully conversant with this policy for the payment of travel and subsistence allowances prior to any claim being made. Authorising officers will be required to check and

Travel and Subsistence

authorise claims using [Manager Self Service](#) ensuring that the claim is accurate and has been necessarily incurred.

➤ **Policy Compliance**

All employees and authorising officers have a responsibility to adhere to this policy and any abuse or failure to do so will constitute a breach of the policy and will be dealt with in accordance with the Council's Disciplinary Policy. Any attempt to fraudulently claim travel or subsistence allowances will be regarded as potential gross misconduct.

Considering other options to travel

The Council is committed to reducing the environmental, financial and social impacts of its business travel. Therefore, employees and line managers must consider the use of audio / video conferencing if the first instance, however if business travel is necessary; public transport, cycling and pool or hire car should be considered instead of the use of a privately owned vehicles. When selecting what mode of transport used, health and personal safety should be thoroughly considered.

For longer journeys (over 100 miles return or individual journey), the use of a hire car may be more cost effective and must be assessed prior to using a privately owned vehicle. Service area manager approval to use own vehicles instead of hire vehicles (where more cost effective) must be sought before the journey. Where possible electric vehicles should be considered based on the appropriateness to the journey

If two or more officers are travelling to the same destination, they shall travel together unless there is good reason not to do so and permission to travel separately is given by the relevant authorising officer beforehand. A supplement per passenger can be claimed.

Travel by Public Transport

The Council has a preference for the use of public transport whenever reasonable and practical. There are a number of reasons for this preference, which include:

- the promotion of public transport is in line with Council's aim to support long term government goals on sustainability.
- consideration must be given to using public transport for longer journeys, as there are many health and safety related issues which can arise when driving long distances.

Train tickets must be booked in advance using [Capita Travel booking portal](#) .

Where employees use rail travel, only standard class fares will be permitted. If an employee has to carry out essential work whilst travelling then a "Quiet Carriage" may be requested.

Where an employee travels by rail, coach or bus, an original receipt or proof of the payment made for the journey must be obtained.

Travel by Hire Vehicle

Travel and Subsistence

Hire vehicles must be organised through the Fleet Management Services with a minimum of 48hrs notice. They can be contacted via vehicle.hire@newport.gov.uk. A '[Vehicle Hire Request Form](#)' must be completed and emailed to Fleet Management.

Hire vehicles provided via Fleet Management Services will be provided with fuel. However, if more fuel is required for the journey, the employee will be expected to purchase this, obtaining an appropriate receipt, and claim reimbursement.

Employees responsible for driving a hire car will need to provide a full valid driving licence, which is appropriate to the class of vehicle being hired, to their Line Manager / Head Teacher (). It is advised that the employee should also have over 12 months driving experience.

Any employee driving a hire vehicle will be covered by the Council's insurance, whilst the vehicle is being used for the purpose of undertaking Council business and only during the designated period of hire. The Council's insurance will not extend to provide indemnity for any personal use.

Business mileage must be conducted in accordance with the Road Traffic Act 1988, the Highway Code and any current legislation including the [use of mobile phones when driving](#) at all times.

Employees who use a hire car will need to provide their driving licence before any booking will be accepted.

Travel by Taxi

Taxi fares will only be reimbursed in the following circumstances and where a receipt or proof of payment has been obtained:

- Where judged economic due to numbers travelling together
- For journeys where there is no other suitable method of public transport
- **When a taxi journey is considered necessary for safety reasons**
- Where heavy luggage has to be transported to or from the place of departure or arrival
- Where the saving of official time is important
- Where the employee has mobility issues and is not able to use other modes of transport

Travel by Bicycle

Such journeys will only be considered for short distances where the duration of travel would not constitute an excessive use of officer time. If an employee chooses to use this method of travel they must ensure that their pedal cycle is in a roadworthy condition and that they wear protective headgear at all times. Claims should be made using the Travel by Cycle Claim form.

Travel by Private Vehicle (Car, Motorbike, Moped)

Private vehicles (cars, motorbikes or moped) should only be used for official journeys where it is deemed to be cost effective or more efficient than other modes of transport by the employing Line Manager / Head Teacher, in conjunction with the employee.

Travel by Lease Car

Employees who use a lease car through the Council's car benefit scheme will be paid as per the agreements and scheme policy relating to the car [benefit scheme](#).

Insurance, Driving Licences and MOT certificates and Legal Responsibilities

Driving Licence

If you use fleet or hire vehicles in the course of the working day, or if you use your own vehicle during the course of the working day to travel to visits, meetings, training or a location other than your permanent place of work on Council business, the Council is legally required to see sight of your driving licence.

Employees can use the [DVLA's online system](#) to provide the Council with their driving licence details. The information available from the site can be printed and forwarded to the Insurance Section in Law and Regulation or e-mailed to Driver.Docs@newport.gov.uk. Employees can also create a licence check code that will enable the Council to view some of the information online. In order to log on to this service you will need the following: driving licence number, NI number, and postcode for the address that appears on the licence. Please note that if you choose to forward a share code, this is case sensitive, only valid once and expires within 21 days if not used.

Until your licence check is in date, you are not authorised to use fleet or hire vehicles or their own vehicle on Council business and should they wish to claim expenses, these will not be authorised.

Insurance

It is the responsibility of any employee who uses their vehicle for work purposes to ensure their insurance certificate clearly acknowledges the vehicle may be utilised for work purposes – usually referred to as “Business Use” cover. Many insurance companies provide the “additional” Business Use cover at a small additional cost or at no extra cost. No extra payment is made by the Council for this requirement.

MOT

It is also essential that any vehicle used for work purposes is roadworthy and a current MOT certificate is held for vehicles over three years old. Employees who use their own vehicles for work purposes are subject to an annual licence and vehicle documentation check and a six monthly licence check if an employee uses fleet or hire vehicles more than once a month. The Council will withhold payment of any claim until an employee satisfies the requirement to provide relevant documentation.

Legal Responsibilities

Business mileage must be conducted in accordance with the Road Traffic Act 1988, the Highway Code and any current legislation including the [use of mobile phones when driving](#) at all times.

The Council will not accept any liability, whether financial or otherwise, for parking fines, fixed penalty notices or driving endorsements incurred whilst an employee is travelling on Council business (whether using their own, fleet or hire vehicle). No reimbursements of associated costs will be made, unless there are exceptional circumstances and with Head of Service approval.

Travel and Subsistence

The Council is obliged by law to provide information to the Police regarding the driver of a vehicle (fleet or hire), who is recorded as speeding by a fixed or mobile speed camera. The Council will be responsible for the payment of fines for fleet and hire vehicles to prevent any increase in penalty. However, these charges may be recovered from the driver of the vehicle at the time of the offence and, in some cases, disciplinary action may be considered.

Employees who use a hire car will need to provide their driving licence before any booking will be accepted.

Disabled Drivers

Drivers who, because of their disability, cannot utilise public transport may travel by private vehicle whilst on official business and in accordance with this policy.

COMMUTING AND HOME TO WORK BUSINESS MILEAGE

For most employees, ordinary commuting is the journey they make most days between their home and their permanent workplace. HMRC call this substantially ordinary commuting (SOR) and employees are responsible for the cost of these journeys. However, there may be times when an employee travels to/from home to/from a temporary workplace for business need which no longer becomes the SOR and there may be options for claiming some, or all, of the business journey.

Agile Working

As our world of work has changed significantly in recent times many employees will find they wish to continue with flexible working arrangements including agile working where employees can choose to work from home or the workplace or a hybrid of both. In these circumstances it is important and expected that all employees (in conjunction with their line manager) manage their travel efficiently and limit it, and any claims, as much as possible, so as to work in the spirit of agile working and the increasing flexibility that this brings to the individual. If an employee **chooses** to travel to other locations (other than their permanent workplace) as part of agile working, HMRC will consider this as personal convenience and no claims can be made.

Permanent and Temporary Workplaces

Permanent

All employees must have a **permanent workplace** which is agreed with their line manager. This could be your home address or somewhere that an employee attends regularly in order to undertake their duties of employment. Employees may have more than one permanent workplace during the same period. This can be when:

- The employee regularly performs a significant part of his or her duties there
- People would expect to be able to contact the employee at the second location
- The employee has a desk and support services at the second location which he/she regularly uses i.e. a care manager who is responsible for more than one care home

Temporary

A temporary workplace is somewhere an employee attends to undertake a task of limited duration (i.e., a site inspection) or for a temporary purpose (attend training or a meeting). If your permanent home base is your home

Travel and Subsistence

address, employees can claim business mileage for journeys to/from their home to a temporary workplace but will be expected to make sensible judgement about the necessity of journeys on days where working from a location other than the Civic Centre/Council building. Managers are responsible for monitoring business mileage and raising any concerns that should arise about excessive usage with employees.

Employees who choose their home as an additional permanent workplace will not be able to claim reimbursement of travel from home when they travel to their other permanent workplace, as this is considered a substantially ordinary commuting (SOR).

For more information on Home Working, please refer to the policy.

Reimbursement of mileage

Employees will be reimbursed for mileage travelled for work in accordance with:

- total mileage incurred in the day, which is more than their normal home to contractual workplace return journey

or

- all mileage for a journey between their normal workplace (home address if applicable) and a temporary workplace
- all mileage for a journey between one temporary workplace and another temporary workplace
- mileage calculated using the "lesser rule" for a journey between their home base and a temporary workplace

The "lesser rule" applies when it is fewer miles for an employee to travel from their home rather than their work base to a 'temporary' workplace. Employees can claim for the lesser of either:

- home to a "temporary" workplace
- or normal workplace to a "temporary" workplace

In the spirit of agile/hybrid working and to reduce mileage claims from home, employees are encouraged to carry out temporary workplace visits on days they would normally attend their workplace wherever possible.

Mileage claims for business travel must be submitted on time and claim via ESS. Employees must submit a detailed breakdown of mileage incurred for approval by their manager. They must include scanned copies of valid VAT receipts for all expenses including fuel if VAT is applicable.

[A link to HMRC-approved rates, inclusive of electric vehicles can be found here.](#)

Travelling to Work Outside of normal working hours

- ***Returning to work after working contracted hours***

Travel and Subsistence

Employees who are asked to return to work outside their agreed working hours (i.e. call out) can claim the **whole** of the journey without any deduction. However, these journeys will be deemed to be “personal mileage” under HMRC regulations, so any reimbursement is subject to tax and national insurance deductions.

➤ **Employees working on non-working day**

Employees who are asked to attend work on their rest day/non-working day for business need (i.e. to provide emergency cover) can claim the **whole** of the journey. However, these journeys will be deemed to be “personal mileage” under HMRC regulations, so any reimbursement is subject to tax and national insurance deductions. Employees who agree to undertake planned additional hours or swap their normal working days will not be able to claim.

Claiming Tax Relief on Business Mileage

You may be entitled to tax relief, known as [Mileage Allowance Relief \(MAR\)](#), if your business journey starts or finishes at home. MAR is not an automatic entitlement and must be claimed. To qualify for MAR, you must be able to demonstrate to the HMRC that your attendance at a temporary workplace (i.e. not your permanent workplace) was necessary for the performance of your duties and not just a matter of convenience. You can claim tax relief on the difference between the total miles travelled and the claimed miles (having taken off ordinary commute).

If you wish to claim tax relief on total business miles rather than miles claimed, you will need to provide details at the end of each tax year via an [on-line P87 claim form for “Income tax relief on employment expenses”](#). You need to keep records of dates, mileage and details of all business journeys to allow you to complete the P87 (this will not be provided by the Council who will no longer submit a P11d on your behalf).

VAT Receipts

All employees must retain VAT receipts for fuel purchased to support mileage or fuel claims, to enable the Authority to reclaim the VAT. It is not sufficient to provide credit card receipts or other such documents. If in doubt, the employee should specifically ask the fuel supplier for a VAT receipt at the time of purchase. Those using electric or hybrid vehicles should make domestic electricity bills available on request.

Passengers

Sharing a car with work colleagues on official business, rather than travelling separately is cost effective and reduces the environmental impact of business travel. Work colleague is defined as: Newport City Council employee, temporary agency worker, officer from another local authority or public sector partnership organisation.

Employees who use their private vehicles, and who carry passengers whose fares would otherwise be paid from public funds, can claim a passenger supplement for each passenger travelling with them on the journey. Passenger supplement is not payable for private motorbikes.

Parking / Tolls/Electric car charging points

Travel and Subsistence

Employees who incur parking fees and / bridge tolls, or payment for electric car charging points whilst driving for official business, will be reimbursed actual expenditure on the production of original receipts as per the [guidance](#).

Air Travel (in the UK)

Air travel may be used when there is a cost advantage because of savings of subsistence allowance and official time or where the urgency of the journey justifies any extra cost. It is the responsibility of the employee and the authorising officer to determine the most efficient and cost effective means of travel used. This applies both to the choice of air travel, the choice of particular flights and most appropriate method of booking. Where an employee has a disability as defined under the Equality Act 2010, flexibility will be given to the most appropriate flight selection.

In cases where air travel is used, tickets must be purchased in advance by the employing Service Area on behalf of the employee. Bookings should be made via the [Capita Travel booking portal](#).

All travel insurance must be obtained via the Council's Insurance section.

Subsistence Payments (in the UK)

The Council has determined subsistence is payable where an employee is directed to undertake duties outside the City of Newport. If an employee is required to undertake duties at a work location that is not their usual place of work, but is within the City of Newport boundaries, then subsistence will **not** be paid. The only exceptions to this will be:

- where an employee is undertaking unplanned duties which he / she does not usually perform on a regular basis, and is therefore unable to take a meal in accordance with their usual arrangements or make alternative provision (for example, attending an evening meeting without reasonable notice).
- where the employee is a social care professional claiming reimbursement for aiding a Service User (section 3 para 28 (e) (ii) of the NJC Conditions of Service. Employees should refer to service area guidance on claiming reasonable expenses for supporting service users. Expenses should be claimed using General Expenses.

Reimbursement cannot be made where a meal is provided free e.g. on a training course.

The cost of purchasing meals will be reimbursed, up to the maximum allowance published and within the approved rates set out by [HMRC](#). The qualifying conditions are:

- the travel must be in the performance of an employee's duties or to a temporary place of work, on a journey that is not substantially ordinary commuting.
- the employee should be absent from their normal place of work or home for a continuous period in excess of five hours or ten hours.
- the employee should have incurred a cost on a meal (food and drink) after starting the journey and retained appropriate evidence of their expenditure.

Travel and Subsistence

Minimum journey time

Maximum amount of meal allowance

5 Hours	£5
10 Hours	£10
15 Hours (and ongoing at 8pm)	£25

Overnight Stay

Where, in the opinion of the authorising officer, an overnight stay is warranted, accommodation should be arranged by the Service Area, ensuring as far as possible the cost of the overnight stay does not exceed the limits as detailed above. If limits are exceeded, then the costs must be discussed and agreed with the Head of Finance prior to the date of the journey.

Bookings should, wherever possible, be made in advance of the stay using [Capita Travel booking portal](#). The portal will show best available rates, including budget hotel chains. If you need to book accommodation above the corporate rates you must provide a reason for doing so from the drop down list on the portal. Employees cannot book accommodation independently and claim reimbursement.

Capita travel provide a Billback facility – so that all accommodation booked is invoiced centrally and staff are not required to pay on departure. All rates quoted are for Bed and Breakfast. Additional meals may be claimed in accordance with the meal rate limits listed. Where appropriate, breakfast, lunch and evening meal should be booked together with the accommodation. It is noted that this may not necessarily seem to be the most cost effective option, and may not necessarily be in line with the subsistence limits set out, but there are efficiencies and travelling issues to be considered. If the hotel offers a ‘set meal limit’ option, this can be utilised. If the subsistence limits are exceeded, the costs should be set out and justified by the authorising officer and authorisation sought from the Head of Finance, prior to the date of the journey.

If an evening meal is not provided as part of those accommodation arrangements, then the meal allowances can be claimed in accordance with the limits set.

Out of Pocket Allowance

An out of pocket allowance can be claimed for overnight stays for each complete period of 24 hours. This entitlement is to cover the cost of personal and incidental expenses, including newspapers, telephone calls home and laundry facilities. No receipts are required for out of pocket allowances.

Out of Pocket allowance HMRC rates:
£5 per night for travel within the UK
£10 per night for travel outside of the UK

Post Entry Training (Continuing Professional Development)

In accordance with the Council's [Continuing Professional Development Policy](#), educational and travel expenses may be approved whilst undertaking post entry training. All travel and subsistence claims must be made in accordance with the provisions of the *Travel and Subsistence Policy*.

Late Claims

Claims must be submitted on ESS by the 10th of each month in order to meet the current month payroll run.

Claims submitted more than three months after the end date of the period in which the expenses were incurred, will not be paid without Head of Finance approval.

Travel and Subsistence (Overseas)

Passports/Identification and Visas

If an employee is required to travel abroad they must hold a full ten-year passport, even for a day trip. Some countries have an immigration requirement for a passport to remain valid for a minimum period (usually at least six months) beyond the date of entry to the country. Therefore, in these cases, employees must ensure their passport is in good condition and valid for at least six months at the date of the return (this is a requirement of the country concerned, not the UK Passport Service). Any questions should be addressed to the specific Consulate or Embassy of the country being visited, and the contact details can be found on the [Foreign and Commonwealth Office website](#).

It is also a requirement on domestic flights for an individual to produce photo ID (e.g. passport, photo driving licence). In all cases, the employee must check in advance of travel. If an employee does not hold the required identification for travelling abroad or domestically, this must be referred to the relevant Head of Service and Head of Finance.

There may also be a requirement to obtain a visa to enter the country the employee is going to. Visa requirements may be checked by contacting a travel agent or the Consulate or Embassy of the relevant country, and the contact details can be found on the Foreign and Commonwealth Office website. If a visa is required, the full cost of obtaining the visa can be reimbursed (this will not be subject to Tax and National Insurance deductions).

Medical Considerations

Advice can be sought from the Council's Occupational Health Service or the Foreign and Commonwealth Office as to whether vaccinations are necessary for official overseas travel. If a vaccination is necessary, the employee should organise this with their own GP. If there is a charge for the vaccination, this can be reimbursed. It is for the employee, in possible conjunction with their own GP, to ascertain that they are medically fit to travel and to take all advised precautions.

All employees travelling within the EEC must ensure they hold a valid European Health Insurance Card (EHIC). This replaced the old E111. The EHIC is normally valid for three to five years and covers any medical treatment which becomes necessary during the trip, because of either illness or an accident. Applications can be made, and further information can be obtained from, the [Department of Health website](#)

Overseas Travel Bookings

All foreign/overseas travel must be authorised in advance by the relevant Head of Service / School Governing Body. A profile of all potential costs should be presented to the Head of Service prior to authorisation being given. The Head of Service / Chair of Governors must countersign any claims for reimbursement which are submitted.

For travel to overseas locations where hotel accommodation is particularly expensive, the Head of Finance has discretion to agree higher cost limits than those for UK travel. This will allow the employee when travelling overseas on official business to obtain accommodation of an equivalent standard to that available to them in the UK.

The relevant Service Area must book the overseas travel which must be the most efficient and cost effective. Purchase must be made via the [Capita Travel booking portal](#) or purchase order, and would need to be discussed and agreed with the travel booking company.

If the employee is required to book the accommodation directly (this should only be the case after subject of discussion and agreement by the authorising officer, then the employee will be responsible for paying for the cost of the accommodation and claiming reimbursement. Receipts must be obtained where possible.

In respect of short haul or long haul air travel, all employees will travel economy class.

Travel Insurance

All travel insurance must be obtained via the Council's Insurance section. Employees are not required to make their own insurance arrangements.

Overseas Subsistence Allowances

There are no set subsistence rates for overseas travel and providing receipts are retained for food and drink subsistence, following the principles of breakfast, lunch, evening meal plus the out of pocket allowance, these expenses incurred will be reimbursed, subject to authorisation by the Head of Finance.

Receipts must always be provided, however, if visiting a country where receipts are not always provided, or where the subsistence is listed on a combined receipt, a written explanation must be given, and a breakdown of expenditure listed on the claim form.

Items considered being personal, such as toiletries, sweets, chocolates, etc. cannot be reimbursed. An out of pocket allowance can be claimed for overnight stays for each complete period of 24 hour, this will cover the cost of incidental expenses. No receipts are required for out of pocket allowances.

Any reimbursements must be converted to sterling at the rate used at the time of payment (if applicable) and completed on the claim form by the employee. Advances of foreign currency can be made by prior arrangement with the Head of Finance. Any advance is subject to the same conditions applicable through the rest of this policy. On

Travel and Subsistence

completion of the journey, a statement reconciling the original advance, with receipts for expenses incurred must be submitted to the Head of Finance. This statement and any remaining currency must be submitted within 5 working days of the date of return to work, whether it be immediately after the trip, or following a period of annual leave or sickness absence.

Online Travel Booking

Please refer to the following guides for assistance on online travel booking;

[Capita Travel booking portal](#)

[Booking instructions: Getting Started](#)

[Rail Guide](#)

[Accommodation Guide](#)

[Flights Guide](#)

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Document Control

Version	Date	Author	Notes/Changes
1.6	31/03/2018	Howard Mason	Revised for new format and changes to home to work
1.7	30/06/2019	Howard mason	Liability for offences in fleet and hire vehicles
1.8	25/01/2022	Lucy Bridgewater	Full review and changes made to reflect new ways of working

1.9	16/08/2022	Kevin Howells	New Policy Agreed by Cabinet Member following trade union and stakeholder comments.
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